

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

MAY 31 2013

John H. Johnson
CLERK

DARYL T. SCHEETZ,

CIV. 13-4011

Petitioner,

-VS-

ORDER

DOUGLAS WEBER, Warden; and
THE ATTORNEY GENERAL OF THE
STATE OF SOUTH DAKOTA;

Respondents.

On May 29, 2013, Petitioner filed his response to the February 5, 2013 Opinion and Order. Rather than filing a substantive response, Petitioner correctly pointed out an error in the order. Accordingly, it is

ORDERED that:

1. Paragraph 2 on page 3 of the February 5, 2013 Opinion and Order is amended to read as follows: “ . . . the parties shall file briefs, documentation, and/or other appropriate authority showing cause why Scheetz’s federal habeas petition, filed January 28, 2013, should not be dismissed as untimely pursuant to 28 U.S.C. § 2244(d)(1).
2. Scheetz may have until June 14, 2013, to file a substantive responsive brief.

Dated this 31 day of May, 2013.

BY THE COURT.

John E. Simko
United States Magistrate Judge

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United States Magistrate Judge